



FOLGER LEVIN LLP  
Attorneys at Law

199 Fremont Street, 20th Floor  
San Francisco, California 94105

PHONE 415.625.1050  
WEBSITE folgerlevin.com

December 21, 2021

**VIA ECF**

Hon. Andrew E. Krause  
United States Magistrate Judge  
The Hon. Charles L. Brieant, Jr.  
Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

Re: *Lowell, et al. v. Lyft, Inc.*  
Case No. 7:17-cv-06251-PMH-AEK (S.D.N.Y.)

Dear Magistrate Judge Krause,

We represent defendant Lyft, Inc., in the above-referenced action. We have conferred with counsel for plaintiffs Harriett Lowell and Westchester Disabled on the Move, Inc., and write to request, on behalf of all parties, a further modification to the operative Sixth Amended Scheduling Order (Dkt. 153) ("Scheduling Order").

Per the Scheduling Order, on November 22, 2021, the parties exchanged their expert reports. Following the exchange, the parties met and conferred as to whether certain supporting materials should have been disclosed by Plaintiffs' experts pursuant to Rule 26 of the Federal Rules of Civil Procedure. Prior to resolving that issue, on December 10, 2021, Plaintiffs informed Lyft that their expert would be submitting an errata and a corrected expert report. On December 14, 2021, Plaintiffs transmitted a revised report and errata by their expert Claudia Stern, together with underlying work papers. Lyft's expert, Dr. Marc Rysman, has now had a chance to review Plaintiffs' corrected report and supporting materials, and requests additional time to prepare his rebuttal.

The parties have therefore agreed, subject to your approval, to a mutual extension of approximately four weeks, from January 22, 2022, to February 18, 2022. This proposed extension takes into account the timing of Plaintiffs' issuance of the corrected report and the intervening year-end holidays. In addition, based on this extension, the Parties have also agreed that commensurate extensions to the remaining deadlines are warranted.

We submit with this letter a Proposed Seventh Amended Civil Case Discovery Plan and Scheduling Order for your consideration, setting forth the dates to which the parties have agreed. Please note that the attached proposal includes a deadline for service of Lyft's Opposition to Plaintiffs' Motion for Class Certification, which the parties agreed to with the

Hon. Andrew E. Krause  
December 21, 2021  
Page 2

caveat that Lyft may potentially need additional time to take depositions of putative class declarants.

We appreciate the Court's consideration of this matter.

Respectfully submitted,



Jiyun Cameron Lee

Attachment

cc: All Counsel (via ECF)

1140629.1